

#### § 34.21

condition to its approval and the extension of any Federal financial assistance under JTPA pursuant to the application, provide a statement that the JTPA-funded program or activity is (or, in the case of a new JTPA-funded program or activity, will be) conducted in compliance with the nondiscrimination and equal opportunity provisions of JTPA and this part. The State shall certify that it has developed and maintains a Methods of Administration pursuant to § 34.33.

(c) *Duration and scope of obligation.* (1) Where the Federal financial assistance under JTPA is to provide or is in the form of personal property or real property or interest therein or structures thereon, the assurance shall obligate the recipient, or (in the case of a subsequent transfer) the transferee, for the period during which the property is used for a purpose for which Federal financial assistance under JTPA is extended, or for as long as the recipient retains ownership or possession of the property, whichever is longer.

(2) In all other cases, the assurance shall obligate the recipient for the period during which Federal financial assistance under JTPA is extended.

(d) *Covenants.* (1) Where Federal financial assistance under JTPA is provided in the form of a transfer of real property, structures, or improvements thereon, or interests therein, the instrument effecting or recording the transfer shall contain a covenant assuring nondiscrimination and equal opportunity for the period during which the real property is used for a purpose for which the Federal financial assistance under JTPA is extended.

(2) Where no Federal transfer of real property or interest therein from the Federal Government is involved, but real property or an interest therein is acquired or improved under a program of Federal financial assistance under JTPA, the recipient shall include such covenant described in paragraph (d)(1) of this section in the instrument effecting or recording any subsequent transfer of such property.

(3) When the property is obtained from the Federal Government, such covenant described in paragraph (d)(1) of this section may also include a condition coupled with a right of reverter

#### 29 CFR Subtitle A (7-1-11 Edition)

to the Department in the event of a breach of the covenant.

#### § 34.21 Equitable services.

Recipients shall make efforts to provide equitable services among substantial segments of the population eligible for participation in JTPA. Such efforts shall include but not be limited to outreach efforts to broaden the composition of the pool of those considered for participation, to include members of both sexes, the various race/ethnicity and age groups, and individuals with disabilities.

#### § 34.22 Designation of Equal Opportunity Officer.

(a) A recipient, other than a small recipient or service provider as defined in § 34.2, shall designate an Equal Opportunity Officer to coordinate its responsibilities under this part. Such responsibilities include, but are not limited to, serving as the recipient's liaison with the Directorate and overseeing the development and implementation of the Methods of Administration pursuant to § 34.33. The Equal Opportunity Officer shall report on equal opportunity matters directly to the State JTPA Director, Governor's JTPA Liaison, Job Corps Center Director, SESA Administrator, or chief executive officer of the SDA or substate grant recipient, as applicable. The Director may require the Equal Opportunity Officer and his or her staff to undergo training, the expenses of which shall be the responsibility of the recipient. The recipient shall make public the name, title of position, address and telephone number of the Equal Opportunity Officer.

(b) Recipients shall assign sufficient staff and resources to the Equal Opportunity Officer to ensure compliance with the nondiscrimination and equal opportunity provisions of JTPA and this part.

(c) Small recipients shall designate an individual responsible for the adoption and publication of complaint procedures and the processing of complaints pursuant to § 34.42.

(d) Service providers as defined by § 34.2 shall not be required to designate